

EXHIBIT C

CAUSE NO. DC-21-05485

RETURN

Came to my hand: May 13, 2021 at 12:29 p.m.

To: KLLM Transport Services, LLC

☒ Citation
☒ Plaintiff's Original Petition

Delivered by me on: May 13, 2021 at 2:45 p.m.

Delivered by me at: 1999 Bryan Street, Suite 900, Dallas, Texas 75201, by delivering to **KLLM Transport Services, LLC**, by delivering to its Registered Agent, CT Corporation System, by delivering to an employee available at the registered office during normal business hours, Latoya Sterns, in person, a true copy of the above specified civil process, having first endorsed on such copy the date of delivery. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. This return is attached to original process or a copy thereof. All statements and facts herein contained are within my personal knowledge.

“My name is Alan Rodi Davis. My date of birth is 8/25/62. My address is P.O. Box 38066, Dallas, Texas, 75238, United States of America. I declare under penalty of perjury the foregoing is true and correct. Executed in Dallas County, Texas on May 14, 2021.



Alan Rodi Davis, Authorized Person, Declarant” PSC-399, Expires 7/31/22
P. O. Box 38066, Dallas, Tx 75238, (214) 893-8956
ad@investigationstld.net

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: KLLM TRANSPORT SERVICES, LLC
SERVING REGISTERED AGENT CT CORPORATION SYSTEM
1999 BRYAN STREET STE 900
DALLAS, TEXAS 75201**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **298th District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **JAMES REEVES**


Filed in said Court **29th day of April, 2021** against

VIJAI KWANBUNBUMPEN AND KLLM TRANSPORT SERVICES, LLC

For Suit, said suit being numbered **DC-21-05485**, the nature of which demand is as follows:
Suit on **MOTOR VEHICLE ACCIDENT** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of May, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By , Deputy
DANIEL MACIAS



ESERVE

CITATION

DC-21-05485

JAMES REEVES

vs.

VIJAI KWANBUNBUMPEN, et al

**ISSUED THIS
6th day of May, 2021**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: DANIEL MACIAS, Deputy

**Attorney for Plaintiff
VICTOR RODRIGUEZ
901 W VICKERY BLVD STE 900
FORT WORTH TX 76104
817-263-4466
victor.rodriguez@witheritelaw.com**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**

OFFICER'S RETURN

Case No. : DC-21-05485

Court No.298th District Court

Style: JAMES REEVES

vs.

VIJAI KWANBUNBUMPEN, et al

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ .M. Executed at _____,
within the County of _____ at _____ o'clock _____ .M. on the _____ day of _____,
20_____, by delivering to the within named _____

each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Brenda Rodriguez on behalf of Victor Rodriguez
Bar No. 24063577
Brenda.Rodriguez@witheritelaw.com
Envelope ID: 53552985
Status as of 5/19/2021 11:04 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
VICTOR RODRIGUEZ		victor.rodriguez@witheritelaw.com	5/18/2021 12:43:39 PM	SENT

CAUSE NO. DC-21-05485

JAMES REEVES;	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
VS.	§	DALLAS COUNTY, TEXAS
	§	
VIJAI KWANBUNBUMPEN; AND KLLM	§	
TRANSPORT SERVICES, LLC	§	
	§	298th
Defendants.	§	_____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

Plaintiff James Reeves files Plaintiff's Original Petition complaining of
Defendants Vijai Kwanbunbumpen, and KLLM Transport Services, LLC.

I. DISCOVERY CONTROL PLAN

Discovery is intended to be conducted under Level 3 pursuant to Rule 190
of the TEXAS RULES OF CIVIL PROCEDURE.

II. RULE 47 PLEADING REQUIREMENTS

As required by Rule 47(b), Texas Rules of Civil Procedure, Plaintiff's
counsel states that the damages sought are in an amount within the
jurisdictional limits of this Court. As required by Rule 47(c), Texas Rules of Civil
Procedure, Plaintiff's counsel states that Plaintiff seeks monetary relief of over
\$1,000,000. The amount of monetary relief actually awarded, however, will
ultimately be determined by a jury. Plaintiff also seeks pre-judgment and post-
judgment interest at the highest legal rate.

III. PARTIES

Plaintiff James Reeves is an individual resident of Mesquite, Dallas County, Texas. His driver's license number is *****344 and his social security number is ***-**-239.

Defendant Vijai Kwanbunbumpen is an individual resident of New Orleans, Orleans County, Louisiana, and may be served with process at 11 Christopher Clark, New Orleans, Louisiana 70128.

Defendant KLLM Transport Services, LLC is a corporation doing business in the State of Texas, and may be served with process through registered agent, CT Corporation System, 1999 Bryan Street, Ste. 900, Dallas, Texas 75201.

IV. JURISDICTION AND VENUE

The Court has jurisdiction over the controversy because the damages are within the jurisdictional limits of this Honorable Court.

This Court has venue over the parties to this action since the incident complained of herein occurred in Dallas County, Texas. Venue therefore is proper in Dallas County, Texas pursuant to the TEXAS CIVIL PRACTICE & REMEDIES CODE §15.002.

V. FACTS

This lawsuit arises out of a motor vehicle collision that occurred on or about Monday, April 19, 2021 at or near the intersections of Bonnie View Road and Port Boulevard within the city limits of Dallas, Dallas County, Texas. Plaintiff James Reeves was operating his vehicle southbound on Bonnie View Road. Defendant Vijai Kwanbunbumpen was operating his 18-wheeler eastbound on

Port Boulevard and came to a stop when faced with a stop sign. Defendant Vijai Kwanbunbumpen was in the course and scope of his employment with and operating under the Federal Motor Carrier authority of Defendant KLLM Transport Services, LLC. After stopping at the stop sign in question, Defendant Vijai Kwanbunbumpen accelerated his vehicle and made an improper wide right-hand turn thereby failing to yield the right of way to Plaintiff's vehicle and collided hard with the passenger's side of Plaintiff's vehicle. As a result of the collision, Plaintiff was injured and continues to suffer injuries and damages from this incident.

VI. CAUSES OF ACTION

A. NEGLIGENCE – DEFENDANT VIJAI KWANBUNBUMPEN

At the time of the motor vehicle collision, Defendant Vijai Kwanbunbumpen was operating his 18-wheeler negligently. Specifically, Defendant had a duty to exercise ordinary care and operate his 18-wheeler reasonably and prudently. Defendant breached that duty in one or more of the following respects:

1. Defendant failed to keep such proper lookout and attention to the roadway as a person of ordinary prudence would have kept under the same or similar circumstances;
2. Defendant failed to yield the right of way to Plaintiff's vehicle;
3. Defendant made an unsafe right-hand turn;
4. Defendant failed to drive in a single lane;
5. Defendant made an unsafe wide right hand turn;

6. Defendant failed to keep an assured safe distance from Plaintiff's vehicle;
7. Defendant failed to timely apply the brakes of his 18-wheeler in order to avoid the collision in question; and
8. Defendant failed to operate his 18-wheeler at a safe speed.

B. NEGLIGENT ENTRUSTMENT – DEFENDANT KLLM TRANSPORT SERVICES, LLC

As an additional cause of action, Plaintiff would show that at the time and on the occasion in question, Defendant KLLM Transport Services, LLC was the owner of the vehicle driven by Defendant Vijai Kwanbunbumpen. Defendant KLLM Transport Services, LLC entrusted the vehicle to Defendant Vijai Kwanbunbumpen. Defendant Vijai Kwanbunbumpen was unlicensed, incompetent, and/or reckless and Defendant KLLM Transport Services, LLC knew or should have known that Defendant Vijai Kwanbunbumpen was unlicensed, incompetent, and/or reckless. Defendant Vijai Kwanbunbumpen's negligence on the occasion in question proximately caused the collision.

C. RESPONDEAT SUPERIOR – DEFENDANT KLLM TRANSPORT SERVICES, LLC

Additionally, Plaintiff would show that at the time and on the occasion complained of, Defendant Vijai Kwanbunbumpen was in the course and scope of his employment with Defendant KLLM Transport Services, LLC thereby making Defendant KLLM Transport Services, LLC liable under the doctrine of *Respondeat Superior*.

D. NEGLIGENCE – DEFENDANT KLLM TRANSPORT SERVICES, LLC

Defendant KLLM Transport Services, LLC negligently hired and retained Defendant Vijai Kwanbunbumpen. Moreover, Defendant KLLM Transport Services, LLC failed to properly qualify/hire, train, retain, and/or supervise Defendant Vijai Kwanbunbumpen in order to prevent such collision.

VII. DAMAGES

As a proximate result of Defendants' negligence, Plaintiff suffered extensive injuries and damages. As a result of Plaintiff's injuries, Plaintiff suffered the following damages:

- a. Medical expenses in the past and future;
- b. Lost wages in the past and loss of earning capacity in the future;
- c. Property damage and loss of use of Plaintiff's vehicle;
- d. Disfigurement;
- e. Physical pain and suffering in the past and future;
- f. Mental anguish in the past and future; and
- g. Physical impairment in the past and future.

VIII. INTENT TO USE DEFENDANTS' DOCUMENTS

Plaintiff hereby gives notice of intent to utilize items produced in discovery against the party producing same. The authenticity of such items is self-proven per TRCP 193.7.

IX. JURY TRIAL

Plaintiff demands a trial by jury and includes the appropriate jury fees.

X. U.S. LIFE TABLES

Notice is hereby given to the Defendants that Plaintiff intends to use the U.S. Life Tables as prepared by the Department of Health and Human Services.

XI. RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that Defendants be cited to appear and answer herein, and that upon final hearing thereof, Plaintiff recover judgment against Defendants for:

- a. Plaintiff's past medical expenses, which are reasonable and customary for the medical care received by Plaintiff;
- b. Plaintiff's future medical expenses;
- c. Plaintiff's lost wages in the past and loss of earning capacity in the future;
- d. Plaintiff's property damage and loss of use of Plaintiff's vehicle;
- e. Plaintiff's disfigurement;
- f. Plaintiff's physical pain and suffering in the past and future in an amount to be determined by the jury;
- g. Plaintiff's mental anguish in the past and future in an amount to be determined by the jury;
- h. Plaintiff's physical impairment in the past and future in an amount to be determined by the jury;
- i. Interest on the judgment at the legal rate from the date of judgment;
- j. Pre-judgment interest on Plaintiff's damages as allowed by law;
- k. All costs of court; and
- l. Such other and further relief to which Plaintiff may be justly entitled.

Respectfully submitted,

WITHERITE LAW GROUP, PLLC

BY: /s/ Victor Rodriguez

VICTOR RODRIGUEZ

State Bar No. 24063577

victor.rodriguez@witheritelaw.com

SHELLY GRECO

State Bar No. 24008168

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ATTORNEYS FOR PLAINTIFF

CAUSE NO. DC-21-05485

JAMES REEVES,	§	IN THE DISTRICT COURT OF
	§	
PLAINTIFF,	§	
	§	
VS.	§	298TH JUDICIAL DISTRICT
	§	
VIJAI KWANBUNBUMPEN, AND KLLM	§	
TRANSPORT SERVICES, LLC,	§	
	§	
DEFENDANTS.	§	DALLAS COUNTY, TEXAS

**DEFENDANTS VIJAI KWANBUNBUMPEN AND
KLLM TRANSPORT SERVICES, LLC'S ORIGINAL ANSWER TO PLAINTIFF'S
ORIGINAL PETITION AND DEMAND FOR JURY TRIAL**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Vijai Kwanbunbumpen and KLLM Transport Services, LLC, Defendants in the above-styled and numbered cause, and files this, their Original Answer to Plaintiff's Original Petition and Demand for Jury Trial, and would respectfully show the Court the following:

I.

GENERAL DENIAL

Defendants generally deny each and every, all and singular, the material allegations contained in the Plaintiff's Original Petition and, being allegations of fact, demands that the Plaintiff be required to prove such allegations by a preponderance of the evidence if the Plaintiff can so do.

II.

DEMAND FOR JURY TRIAL

Defendants hereby demand a trial by jury and submits the appropriate jury fee.

III.

Defendants request Level III Discovery Plan.

WHEREFORE, PREMISES CONSIDERED, Defendants pray that Plaintiff take nothing by this suit; and that Defendants go hence without delay and recover all costs expended in Defendants' behalf. Praying further, Defendants pray for such other and further relief, either at law or in equity, to which Defendants may be justly entitled.

Respectfully submitted,

CHAMBLEE RYAN, P.C.



By: _____

Jeffrey W. Ryan
State Bar No. 17469600
jryan@cr.law

2777 Stemmons Freeway, Suite 1257
Dallas, Texas 75207
(214) 905-2003
(214) 905-1213 (Facsimile)

ATTORNEY FOR DEFENDANTS
Vijai Kwanbunbumpen and KLLM Transport
Services, LLC

CERTIFICATE OF SERVICE

I do hereby certify that on June 4, 2021 a true and correct copy of the above and foregoing document has been served via the court's e-file/e-service system to all counsel of record.

E-service: victor.rodriguez@witheritelaw.com

Victor Rodriguez
Witherite Law Group, PLLC
901 W. Vickery Blvd., Suite 900
Fort Worth, Texas 76104



Jeffrey W. Ryan

Automated Certificate of eService

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Veronica Davila on behalf of Jeffrey Ryan
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 Status as of 6/7/2021 1:02 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
VICTOR RODRIGUEZ		victor.rodriguez@witheritelaw.com	6/4/2021 3:12:45 PM	SENT

Associated Case Party: KLLM TRANSPORT SERVICES, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Erin Blair		eblair@cr.law	6/4/2021 3:12:45 PM	SENT
Veronica Davila		vdavila@cr.law	6/4/2021 3:12:45 PM	SENT
Jarad Kent		JKent@cr.law	6/4/2021 3:12:45 PM	SENT
Jeffrey W. Ryan		jryan@cr.law	6/4/2021 3:12:45 PM	SENT
Brenda Weidner		bweidner@cr.law	6/4/2021 3:12:45 PM	SENT